

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 5-10 and 14-50 are pending in the application, with 5, 14, 26, 30, 36, and 45 being the independent claims. Claims 5, 14, 26, 30, and 35 are amended. Claims 45-50 are new. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 103

Claims 5-10 and 14-44

On page 3 of the Office Action, claims 5-10 and 14-44 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hackbart, H, "Tiffy View Java Edition," Copyright 1998, downloaded from the following website link:

<http://web.archive.org/web/19991106083855/http://www.tiffye/tiffye/Tiffy.html>

(hereinafter Hackbart), in view of "The TIFF Image File Format," Cooper Union for the Advancement of Science and Art, version archived 2/19/1999, downloaded from <http://web.archive.org/web/*/http://www.ee.cooper.edu/courses/course_pages/past_courses/EE458/TIFF/> (hereinafter Cooper). Applicants respectfully traverse the rejection.

Applicants assert that the Office Action does not establish a *prima facie* case of obviousness for at least the reason that the cited art fails to teach or suggest each and

every element of the claimed embodiments of the claimed invention. (*See* M.P.E.P. § 2143). For example, as amended, independent claim 5 recites:

processing data of the first data type through a first applet and data of the second data type through a second applet, wherein the first applet is a first reader for data of the first data type, and the second applet is a second reader for data of the second data type that reads data from the data file after a header of the data file until an end of file marker is encountered in the data file, wherein data of the first data type is located in the data file after the end of file marker.

Hackbarth and Cooper do not teach all of these features of claim 5. For example, as stated on page 5 of the Office Action, “Hackbarth does not specifically teach (d) processing data of the first data type through a first applet and data of the second data type through a second applet.” The Office Action states “[h]owever, it would have been obvious to one of ordinary skill in the art at the time of the invention to read and extract the two file types using distinct coding portions, whether those coding portion are separate programs (applets), or part of a larger single program (applet or standalone application) because it is well known in the programming art to do so.” Thus, the Office Action does not assert that Hackbarth or Cooper to teach or suggest this element, but instead relies on “one of ordinary skill in the art.” Applicants agree that Hackbarth and Cooper do not teach or suggest this element, but respectfully disagree with the assertion that it is well known in the programming art.

In order to preserve rights, Applicants must seasonably challenge "well known statements" and "statements based on personal knowledge." Therefore, Applicants respectfully traverse the Examiner's assertion and request evidence in support of the Examiner's position. M.P.E.P. § 2144.03. To establish a *prima facie* case of obviousness, all claim limitations must be taught or suggested by the prior art. The

Examiner acknowledges his failure to cite references for all claim limitations, but relies instead on common knowledge or "well known" prior art. Therefore, Applicants respectfully request that the Examiner provide a reference or affidavit pursuant to M.P.E.P. § 2144.03 to support his assertion that it would be obvious to one of ordinary skill in the art at the time the invention was made to read and extract the two file types using distinct coding portions, whether those coding portions are separate programs (applets), or part of a larger single program (applet or standalone program).

However, notwithstanding the above, claim 5 as amended recites further features not taught or suggested by Hackbarth or Cooper. For example, claim 5 further recites "wherein the first applet is a first reader for data of the first data type, and the second applet is a second reader for data of the second data type that reads data from the data file after a header of the data file until an end of file marker is encountered in the data file, wherein data of the first data type is located in the data file after the end of file marker." Hackbarth and Cooper, alone or in combination, do not teach this further recitation of claim 5. Furthermore, Applicants assert that this further recitation would not be obvious to one of ordinary skill in the art at the time of the invention. For example, the claimed invention allows a reader for data of the second data type to read data from a data file. Furthermore, the reader uses a standard end of file marker, which normally marks the end of data in a file, to prevent the reader (of the second data type) from reading data (of the first data type) in data file that is present beyond the end of file marker.

Thus, Hackbarth and Cooper, alone or in combination, do not teach or suggest all of the features of claim 5, and therefore a *prima facie* case of obviousness has not been established. Thus, for at least these reasons, independent claim 5 is patentable over

Hackbarth and Cooper. Independent claims 14, 26, 30, and 36 are also patentable over Hackbarth and Cooper at least for these reasons, and further in view of their own features. Furthermore, claims 6-10, 15-25, 27-29, 31-35, and 37-44, which depend from claims 5, 14, 26, 30, and 36, are also patentable over Hackbarth and Cooper, for at least these reasons, and further in view of their own features. Accordingly, Applicants respectfully request that this rejection be reconsidered and withdrawn.

Claims 20, 25, 29, and 35

On page 12 of the Office Action, claims 20, 25, 29, and 35 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hackbarth in view of Cooper and further in view of U.S. Patent No. 5,689,669 to Lynch (hereinafter Lynch). Applicants respectfully traverse the rejection.

As described above, claims 5, 14, 26, and 30 are patentable over Hackbarth and Cooper. Applicants assert that Lynch does not remedy the deficiencies of Hackbarth and Cooper with respect to claims 5, 14, 26, and 30. Claims 20 depends from independent claim 5, claim 25 depends from independent claim 14, claim 29 depends from independent claim 26, and claim 35 depends from independent claim 30. Thus, claims 20, 25, 29, and 35 are also patentable over Hackbarth, Cooper, and Lynch for reasons similar to their respective independent claims 5, 14, 26, and 30, and further in view of their own features. Applicants respectfully request that the rejection of claims 20, 25, 29, and 35 be reconsidered and withdrawn.

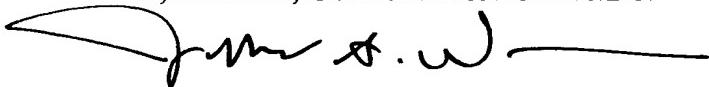
Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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